



# 10.11 EXPEDITED BUILDING PERMIT APPLICATION

## for nonconforming residential development

### WHO MAY USE THIS EXPEDITED APPLICATION?


You may complete this expedited form to obtain a LURC permit for a nonconforming lot (i.e. a lot not meeting LURC's minimum frontage or lot size requirements) or a nonconforming structure (i.e. a structure not meeting LURC's minimum road, property line or water body setbacks) if you wish to carry out one or more of the following activities:

- Construct a new accessory structure, such as a shed or deck
- Reconstruct a principal structure or an accessory structure (including reconstructing a deck)
- Add on to (expand) or relocate a principal structure or an accessory structure
- Enclose or partially enclose a deck or a porch
- Add a permanent foundation beneath a structure
- Install a new sewage disposal system or expand an existing sewage disposal system
- Transfer ownership of a LURC permit issued to a previous land owner or lessee
- Change authorized dimensions or setback requirements of a previously permitted structure

In order to use this form, your proposal must also meet all of the following requirements:


- LURC zoning: Your proposed development will be located in the following subdistricts (locate your property on a LURC Land Use Guidance Map to determine the zoning): D-GN, D-GN2, D-GN3, D-RS, D-RS2, D-RS3, M-GN, P-GP, or P-SL.
- Wetland alteration: Your proposal will not alter any land that is a mapped P-WL subdistrict or any ground below the normal high water mark of a lake, pond, river, stream, or intertidal area.
- Alteration of more than an acre: Your proposal will not alter more than an acre of land area.
- Flood zoning: You are not proposing first-time development or making substantial improvements to any existing development within a mapped FEMA floodplain.

If you do not meet the above requirements, you may submit LURC's standard application form instead. Contact the LURC office serving your area (see below) to obtain a copy of this form.

 **Alteration** means removing or displacing soil, sand, vegetation or other materials; dredging; bulldozing; draining or dewatering; filling; or any other construction, repair or alteration of any permanent structure.

### WHERE CAN I GET HELP TO COMPLETE THIS FORM?

Call the LURC regional office that serves your area and ask to speak to one of our regional representatives (see below for office locations and contact information). Also, visit our web site at [www.maine.gov/doc/lurc](http://www.maine.gov/doc/lurc) to browse through our rules and regulations, recent publications and newsletters, Commission meeting agendas, and other valuable information.

 Your application may be returned if it is incomplete! Contact the LURC office that serves your area if you need help with this application.

### MAILING YOUR APPLICATION.

Fill out page 1 of the application form. Mail the entire application form (including the originals and copies of the form) and the required attachments (including the appropriate application fee and exhibits – see instructions on page ii) to the LURC office that serves your area.

<p><b>Augusta Office</b> <i>Main LURC Office</i></p> <p>18 Elkins Lane - Harlow Bldg. Tel. (207) 287-2631 22 State House Station TTY (207) 287-2213 Augusta, ME 04333-0022 FAX (207) 287-7439</p>	<p><b>Ashland Office</b> <i>Serving Aroostook County northwest of I-95</i></p> <p>45 Radar Road Tel. (207) 435-7963 Ashland, ME 04732-3600 FAX (207) 435-7184</p>	
<p><b>Cherryfield Office</b> <i>Serving Hancock and Washington Counties and Coastal Islands in LURC Jurisdiction</i></p> <p>7 Campbell Hill Tel. (207) 546-4405 P.O. Box 269 FAX (207) 546-2799 Cherryfield, ME 04622</p>	<p><b>East Millinocket Office</b> <i>Serving Penobscot, Southern Aroostook, and portions of Piscataquis Counties</i></p> <p>191 Main Street Tel. (207) 746-2244 East Millinocket, ME 04430 FAX (207) 512-1003</p>	
<p><b>Greenville Office</b> <i>Serving Piscataquis and Somerset Counties</i></p> <p>43 Lakeview Street Tel. (207) 695-2466 P.O. Box 1107 FAX (207) 695-2380 Greenville, ME 04441</p>	<p><b>Rangeley Office</b> <i>Serving Franklin and Oxford Counties</i></p> <p>2352 Main Street Tel. (207) 864-5064 P.O. Box 887 FAX (207) 512-1004 Rangeley, ME 04970</p>	

**THIS FORM IS NOT A VALID PERMIT UNTIL IT IS SIGNED BY AN AUTHORIZED LURC REPRESENTATIVE.**

NO CONSTRUCTION ACTIVITIES MAY BEGIN PRIOR TO YOUR RECEIPT OF A PERMIT SIGNED BY LURC.  
LURC MAY REQUIRE ADDITIONAL INFORMATION NOT ENCOMPASSED IN THIS APPLICATION.

# Instructions

## 1. APPLICANT INFORMATION

Print the legal names and mailing addresses of all persons or companies with right, title or interest in the property associated with this application. Persons with "right, title or interest" are those listed on any deed, lease or sales contract for the property.

## 2. PROJECT LOCATION AND PROPERTY DETAILS


**Tax Plan and Lot Numbers.** The tax plan and lot numbers are listed on your property tax bill.

**Book/Page Numbers or Lease Lot Numbers.** The book and page numbers are listed on your deed. Check your lease or ask your lessor whether a unique lease lot number has been assigned to your property.

**Lot Coverage.** Calculate the area of your property that will be covered by structures, driveways, sidewalks, and other impervious surfaces after your proposed activities are completed. Include all existing and proposed structures and features on your lot.

**Zoning.** Locate your property on a LURC Land Use Guidance Map and identify all the subdistricts covering your lot. For instance, the circled area on this map includes two subdistricts: M-GN and D-RS.

**Road and Water Frontage.** Measure road frontage along the traveled portion of the road, between the points of intersection of side property lines and the road. Measure water frontage in a straight line between the points of intersection of side property lines and the normal high water mark of the shoreline.

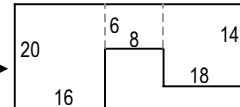
 If you lease your property, contact your lessor before submitting this application to LURC. You may need to get written permission from the lessor for your proposal first.



## 3. EXISTING STRUCTURES


**Types of structures** include a house, camp, garage, bunkhouse, porch, shed, etc. For each structure that exists on your property, fill out the appropriate information in the table.

**Exterior Dimensions:** Calculate the dimensions (length, width and height) of each structure along its exterior surfaces. Measure the height of the structure from the peak of the roof (excluding chimneys or antennae) to the lowest point of the structure at grade along the downhill side (such as the floor of a daylight basement). If the structure is irregularly shaped, write in its detailed dimensions. For example, a structure that is 24 feet high and is shaped like this ...  
... would have these dimensions: 16x20x24; 6x8x24; 14x18x24.



**Type of Foundation:** Describe the type of foundation that supports the structure. Types of foundations include full foundations, basements, frost walls, slabs, posts, sono tubes, etc.

**Setback Distances:** All setback distances should be measured horizontally. Road setbacks should be measured as the distance from the edge of the pavement or traveled way to the nearest portion of the structure. Property line setbacks should be measured as the distance from the property boundary line to the nearest portion of the structure. Setbacks from lakes, ponds, rivers, streams and wetlands should be measured as the distance from the normal high water mark to the nearest portion of the structure.

 The **normal high water mark** is the line on the shores and banks of non-tidal waters which is identifiable by the different character of the soil or vegetation due to the influence of surface water. This mark is not necessarily the water line! Call LURC if you need help identifying this mark.

## 4. PROPOSED ACTIVITIES

Check the appropriate box or boxes to describe your proposal. For each structure that you are proposing to build or alter, fill out the appropriate information in the table. Instructions for calculating exterior dimensions and setback distances are listed in Question 3 above.

**Accessory structure:** Check this box if you plan to build a new accessory structure, and answer the questions below the table.

**Reconstruct:** Check this box if you plan to reconstruct an existing structure or if you plan to reconstruct a deck attached to an existing structure, and answer the questions below the table. Reconstruction is the rebuilding of a structure after more than 50% of its structural components (including walls, roof or foundation) has been destroyed, damaged, demolished or removed. Leaving one or two walls or the floor of a structure in place while rebuilding the remainder of the structure is considered a reconstruction.

**Expand:** Check this box if you plan to enlarge or add on to an existing structure or if you plan to increase a structure's height.

**Relocate:** Check box if you plan to move an existing structure to another place on your lot.

**Remove:** Check this box if you plan to demolish an existing structure or move it off your property.


**Enclose deck or porch:** Check this box if you plan to enclose an existing deck or porch.

**Permanent foundation:** Check this box if you plan to add a permanent foundation beneath a structure, and answer the questions below the table. Permanent foundations are any supporting substructures that extend below the frost line or permanently withstand freeze-thaw conditions (such as full foundations, basements, slabs, frost walls). Sono tubes or posts installed with augers are not permanent foundations.

**Change setbacks or dimensions:** Check this box if you wish to change setbacks or dimensions of a structure that was approved by LURC under a valid (not expired) permit.

## 5. VEGETATION CLEARING, FILLING AND GRADING

If you will be clearing any vegetation, filling or grading as part of your proposal, identify the total size of the cleared or filled/graded area and the distances between the edge of the area and the nearest road, property line, lake or pond, river or stream, and wetland.

 LURC regulates the type and amount of trees, shrubs, groundcovers and other vegetation that may be removed as well as the amount of filling and grading that may occur, especially within 100 feet of lakes and rivers, 75 feet of small ponds and streams, and 50 feet of public roads. Call LURC if you need help determining how much you may clear, fill or grade on your lot.

## 6. CERTIFICATION AND APPLICANT SIGNATURES

All persons listed on the deed, lease or sales contract as owners or lessees of the property must read the statement and sign the form.

**10.11 Expedited Permit**

Tracking No.

Permit No.

**1. APPLICANT INFORMATION***for nonconforming residential development*

Applicant Name(s)	Daytime Phone	FAX	E-mail
Mailing Address			

**2. PROJECT LOCATION AND PROPERTY DETAILS**

Township, Town or Plantation	County	Tax Plan and Lot Numbers (check tax bill)	Book/Page or Lease Numbers (check deed or lease)
Lot size (in acres, or in square feet if less than 1 acre)	Lot coverage (in square feet)	Zoning (check LURC zoning map - list all subdistricts covering your property)	
Road frontage. List the name and frontage (in feet) for any roads, camp roads, or other rights-of-way adjacent to your lot:		Water frontage. List the name and frontage (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot:	

**3. EXISTING STRUCTURES** (Fill in a line on the table for each existing structure on your lot. Use additional paper if needed.)

Type of structure (dwelling, garage, deck, porch, shed, driveway, etc.)	Year built	Exterior dimensions (LxWxH)	Type of Foundation (full basement, slab, post, etc.)	Distance (in feet) of structure from nearest:					
				Road	Property line	Lake or pond	stream or River	Wetland	

**4. PROPOSED ACTIVITIES**

- ☐ Transfer of ownership. Provide the name of the previous owner or lessee of your property: \_\_\_\_\_
- ☐ Installation of a new sewage disposal system, or expansion of an existing sewage disposal system.
- ☐ New construction, reconstruction of existing structures, or changes to previously permitted structures. Fill in a line on the table for each structure:

Type of structure (dwelling, garage, deck, porch, shed, driveway, etc.)	Proposal (check all that apply)								Exterior dimensions (LxWxH)	Distance (in feet) of structure from nearest:					
	Accessory structure*	Reconstruct*	Expand	Relocate	Remove	Enclose deck/porch	Permanent foundation*	Change dimensions or setbacks		Road	Property line	Lake or pond	stream or River	Wetland	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

\* If you are constructing a new accessory structure, reconstructing an existing structure, or adding a permanent foundation:

- If the structure or foundation will not meet LURC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks: \_\_\_\_\_
- For reconstructions, has the existing structure been damaged, destroyed or removed from your property? ☐ Yes ☐ No  
If yes, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal? ☐ Yes ☐ No  
Provide the date the structure was damaged, destroyed or removed: \_\_\_\_\_

**5. VEGETATION CLEARING, FILLING AND GRADING** (If your project will involve any vegetation clearing or filling & grading, fill in this table)

Cleared area	Total size (in sq. ft.) of cleared/filled area:	Distance (in feet) between edge of cleared/filled area and the nearest:				
		Road	Property line	Lake or pond	River or stream	Wetland
Filled or graded area						

**6. CERTIFICATION AND APPLICANT SIGNATURES** (All persons listed on the deed, lease or sales contract for this property must sign below)

*I have personally examined the information submitted in this application, including the accompanying exhibits, and to the best of my knowledge and belief, this application is true and accurate I certify that the above described activities will be completed in accordance with the Commission's permit conditions and applicable standards. I understand that activities carried out in violation of any conditions or standards are subject to enforcement action.*

Applicant Signatures

Date

**LURC AUTHORIZATION** (For office use)

Based upon the information supplied by the applicant in this form and the attached exhibits, the staff concludes that, if carried out in compliance with the conditions of approval on page 2 of this authorization form, the proposal will meet the criteria for approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes and the provisions of the Commission's Land Use Districts and Standards (Chapter 10).

LURC Authorized Signature

Effective Date

## CONDITIONS OF APPROVAL

1. Construction activities authorized in this permit must be substantially started within 2 years and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. Structures authorized under this permit must be constructed so as to meet the road, property line, water and wetland setback distances, exterior dimensions and building heights listed in Question 4 of this permit application.
3. Structures authorized under this permit must not be sited on a ridge or knoll such that they are visible above the tree line from any water body. All authorized structures must be located, designed and landscaped to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways or shorelines.
4. Clearing of vegetation and filled and graded areas must not exceed the total size of clearing and filling/grading listed in Question 5 of this permit application and must meet the road, property line, water and wetland setback distances listed in Question 5 of this permit application.
5. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
6. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
7. Upon completion of the authorized structures within the terms of this permit, any existing structures authorized to be removed from the lot and other construction debris must be disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
8. Soil disturbance must not occur when the ground is frozen or saturated.
9. Topsoil must not be removed from the site except for that necessary for construction activities authorized in this permit. Topsoil must be stockpiled at least 100 feet from any water body.
10. Temporary and permanent sedimentation control measures must be implemented to effectively stabilize all areas of disturbed soil and to catch sediment from runoff water before it leaves the construction site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands or adjacent properties. Once in place, such measures shall be maintained to ensure proper functioning. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day.
11. All temporary sedimentation and erosion control devices must be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
12. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
13. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
14. If the permittee holds interest in this parcel of land via a sales contract or other binding agreement, the permittee shall submit a copy of the deed transferring title of this parcel to the Commission upon final execution of such deed.
15. Once construction is complete, the permittee shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
16. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit. For parcels that are part of a Commission-approved subdivision, all conditions of the subdivision permit as they pertain to the permittee's parcel shall remain in effect.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. Any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

**10.11 Expedited Permit**

Tracking No.

Permit No.

**1. APPLICANT INFORMATION***for nonconforming residential development*

Applicant Name(s)	Daytime Phone	FAX	E-mail
Mailing Address			

**2. PROJECT LOCATION AND PROPERTY DETAILS**

Township, Town or Plantation	County	Tax Plan and Lot Numbers (check tax bill)	Book/Page or Lease Numbers (check deed or lease)
Lot size (in acres, or in square feet if less than 1 acre)	Lot coverage (in square feet)	Zoning (check LURC zoning map - list all subdistricts covering your property)	
Road frontage. List the name and frontage (in feet) for any roads, camp roads, or other rights-of-way adjacent to your lot:		Water frontage. List the name and frontage (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot:	

**3. EXISTING STRUCTURES** (Fill in a line on the table for each existing structure on your lot. Use additional paper if needed.)

Type of structure (dwelling, garage, deck, porch, shed, driveway, etc.)	Year built	Exterior dimensions (LxWxH)	Type of Foundation (full basement, slab, post, etc.)	Distance (in feet) of structure from nearest:					
				Road	Property line	Lake or pond	stream	River or	Wetland

**4. PROPOSED ACTIVITIES**

- ☐ Transfer of ownership. Provide the name of the previous owner or lessee of your property: \_\_\_\_\_
- ☐ Installation of a new sewage disposal system, or expansion of an existing sewage disposal system.
- ☐ New construction, reconstruction of existing structures, or changes to previously permitted structures. Fill in a line on the table for each structure:

Type of structure (dwelling, garage, deck, porch, shed, driveway, etc.)	Proposal (check all that apply)								Exterior dimensions (LxWxH)	Distance (in feet) of structure from nearest:					
	Accessory structure*	Reconstruct*	Expand	Relocate	Remove	Enclose deck/porch	Permanent foundation*	Change dimensions or setbacks		Road	Property line	Lake or pond	stream	River or	Wetland
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

\* If you are constructing a new accessory structure, reconstructing an existing structure, or adding a permanent foundation:

- If the structure or foundation will not meet LURC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks: \_\_\_\_\_
- For reconstructions, has the existing structure been damaged, destroyed or removed from your property? ☐ Yes ☐ No  
If yes, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal? ☐ Yes ☐ No  
Provide the date the structure was damaged, destroyed or removed: \_\_\_\_\_

**5. VEGETATION CLEARING, FILLING AND GRADING** (If your project will involve any vegetation clearing or filling & grading, fill in this table)

Cleared area	Total size (in sq. ft.) of cleared/filled area:	Distance (in feet) between edge of cleared/filled area and the nearest:				
		Road	Property line	Lake or pond	River or stream	Wetland
Filled or graded area						

**6. CERTIFICATION AND APPLICANT SIGNATURES** (All persons listed on the deed, lease or sales contract for this property must sign below)

*I have personally examined the information submitted in this application, including the accompanying exhibits, and to the best of my knowledge and belief, this application is true and accurate I certify that the above described activities will be completed in accordance with the Commission's permit conditions and applicable standards. I understand that activities carried out in violation of any conditions or standards are subject to enforcement action.*

Applicant Signatures

Date

**LURC AUTHORIZATION** (For office use)

Based upon the information supplied by the applicant in this form and the attached exhibits, the staff concludes that, if carried out in compliance with the conditions of approval on page 2 of this authorization form, the proposal will meet the criteria for approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes and the provisions of the Commission's Land Use Districts and Standards (Chapter 10).

LURC Authorized Signature

Effective Date

## CONDITIONS OF APPROVAL

1. Construction activities authorized in this permit must be substantially started within 2 years and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. Structures authorized under this permit must be constructed so as to meet the road, property line, water and wetland setback distances, exterior dimensions and building heights listed in Question 4 of this permit application.
3. Structures authorized under this permit must not be sited on a ridge or knoll such that they are visible above the tree line from any water body. All authorized structures must be located, designed and landscaped to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways or shorelines.
4. Clearing of vegetation and filled and graded areas must not exceed the total size of clearing and filling/grading listed in Question 5 of this permit application and must meet the road, property line, water and wetland setback distances listed in Question 5 of this permit application.
5. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
6. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
7. Upon completion of the authorized structures within the terms of this permit, any existing structures authorized to be removed from the lot and other construction debris must be disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
8. Soil disturbance must not occur when the ground is frozen or saturated.
9. Topsoil must not be removed from the site except for that necessary for construction activities authorized in this permit. Topsoil must be stockpiled at least 100 feet from any water body.
10. Temporary and permanent sedimentation control measures must be implemented to effectively stabilize all areas of disturbed soil and to catch sediment from runoff water before it leaves the construction site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands or adjacent properties. Once in place, such measures shall be maintained to ensure proper functioning. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day.
11. All temporary sedimentation and erosion control devices must be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
12. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
13. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
14. If the permittee holds interest in this parcel of land via a sales contract or other binding agreement, the permittee shall submit a copy of the deed transferring title of this parcel to the Commission upon final execution of such deed.
15. Once construction is complete, the permittee shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
16. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit. For parcels that are part of a Commission-approved subdivision, all conditions of the subdivision permit as they pertain to the permittee's parcel shall remain in effect.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. Any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

# REQUIRED FEES AND EXHIBITS

## All first-time building permit applications must include:

- ☐ Application Fee: \$75.00
- ☐ Exhibit A: Location Map
- ☐ Exhibit B: Deed, Lease Sales Contract
- ☐ Exhibit C: Photographs
- ☐ Exhibit D: Site Plan

## Some applications will also need to include:

- ☐ Exhibit E: Sewage Disposal



*Applications to amend a previously issued building permit may not need to include Exhibits A, B, or C if these items are already on file with LURC. If you are unsure about what to submit with your application, contact the LURC office that serves your area.*

**APPLICATION FEE** (nonrefundable). Submit a check or money order for \$75.00 payable to "Treasurer, State of Maine".

**EXHIBIT A: LOCATION MAP.** Submit a LURC Land Use Guidance Map or another equivalent map (such as a U.S.G.S. topographic map or a tax parcel map) on which you have clearly marked the boundaries of your property.

**EXHIBIT B: DEED, LEASE OR SALES CONTRACT.** Submit complete, signed copies of all deeds or leases that demonstrate the applicant's right, title or interest in all of the land addressed in this application. Or submit a current binding option to purchase all necessary interest in the land, or a similar contractual agreement that establishes terms for future title and provides a description of the property. If you are submitting a contractual agreement, you must also submit complete, signed copies of all deeds or leases that demonstrate the current land owners right, title or interest in all of the land addressed in this application.



*If you are leasing your property, read your lease carefully and contact the lessor before submitting this application to LURC. You may need to get written permission from the lessor for your proposal first.*

**EXHIBIT C: SITE PHOTOGRAPHS.** Attach a series of photographs taken within the past two years that show the features and structures on your property as they currently exist. Mount the photos on 8½ x 11" paper and include an explanatory caption and date for each photo. Please note, your photos cannot be returned.

**EXHIBIT D: SITE PLAN.** Prepare a bird's-eye view site plan that shows your entire property. Draw the plan to scale on an 8½ x 11" sheet of paper or on the attached grid paper. Do not use colors as they do not photocopy. Refer to the site plan on the next page as an example. Include the following features:

- ☐ Property boundary lines and dimensions (including road and water frontage).
- ☐ If proposed development is within 100 feet of a lake or river or within 75 feet of a small pond or stream, draw lines showing the 25-, 50-, 75- and 100-foot setback distances from the water body.
- ☐ Wooded areas, open fields, rivers, streams, lakes, ponds, wetlands, and other natural features.
- ☐ Existing and proposed structures and features (including dwellings, garages, decks, walkways, driveways, parking areas, signs, etc.):
  - Identify the distances of each structure from the nearest property line, road, lake, pond, river, stream and wetland.
  - Mark all existing structures that will be expanded, reconstructed, removed, relocated or otherwise altered.
- ☐ Areas that are or will be stripped, graded, grubbed, filled, or otherwise result in soil exposure, and their dimensions.
- ☐ Areas that are or will be cleared of vegetation, and their dimensions.
- ☐ Proposed erosion, sedimentation and drainage control measures (hay bales, silt fencing, level spreaders, culverts, water bars, etc.)

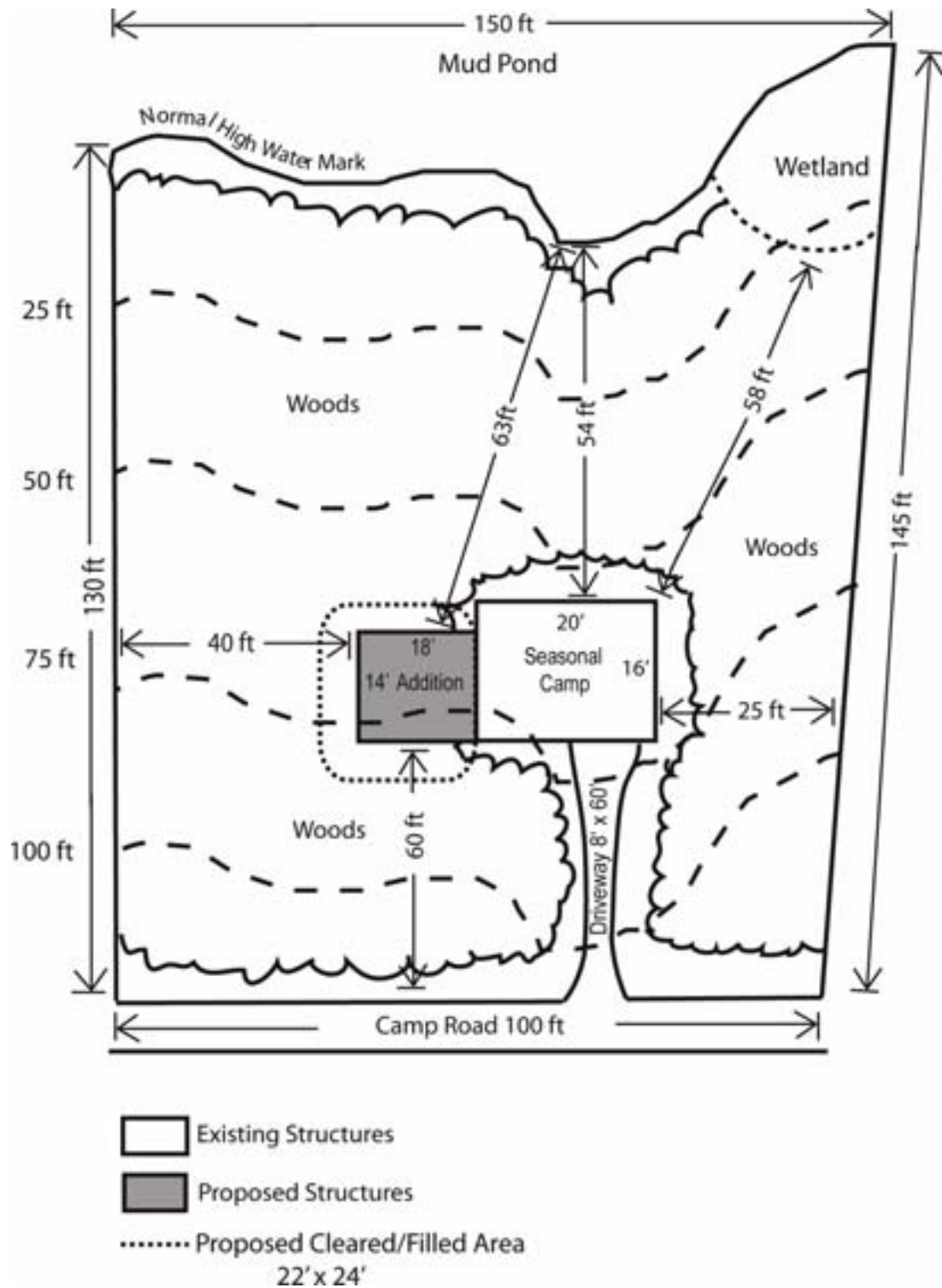
If you are proposing many changes to your property, submit two site plans – one showing the existing lot layout and one showing the proposed layout.

**EXHIBIT E: SEWAGE DISPOSAL.** If any of your proposed new or altered structures have or will include bedrooms, bathrooms, plumbing or water fixtures, or otherwise generate waste water, you must contact a licensed site evaluator, your Local Plumbing Inspector or the Division of Health Engineering to ensure that your development complies with the Maine Plumbing Code. You may need to hire a licensed site evaluator to test the soils on your property, design a sewage disposal system, and complete an HHE-200 form ("Application for Subsurface Waste Water Disposal"). If so, you must submit a signed HHE-200 form with this application.



*For information about the Maine Plumbing Code, to obtain contact information for your Local Plumbing Inspector, or to get a list of licensed site evaluators, call the Division of Health Engineering at (207) 287-5338 or visit their web site: [www.maine.gov/dhs/eng/plumb](http://www.maine.gov/dhs/eng/plumb).*

# SAMPLE SITE PLAN











# A GUIDE TO LURC RULES FOR NONCONFORMING DEVELOPMENT

Structures and lots that were created before the Commission's rules were established but which do not meet current rules are governed by the Commission as nonconforming development. The most common reason that a structure is nonconforming is that it does not meet the minimum required setback from a water body. Typically, lots are nonconforming when they do not comply with the current lot size or frontage requirements. This page provides a brief guide to some of the Commission's rules for nonconforming development. For specifics about applicable rules and regulations, refer to Section 10.11 of the Commission's Land Use Districts and Standards.

## GENERAL REQUIREMENTS

It is the Commission's policy to limit expansions of nonconforming structures and to provide incentives for lot owners to bring nonconforming development into compliance with the Commission's current standards. To obtain permit approval for changes to a nonconforming structure, you need to demonstrate that the **project will not adversely affect surrounding uses and resources** and that there is **no increase in the extent of nonconformance**. An increase in the extent of nonconformance occurs when a structure is altered in such a way that it is placed closer to the minimum setback distances for water bodies, roads or property boundaries.

## RECONSTRUCTING A NONCONFORMING STRUCTURE OR ADDING PERMANENT FOUNDATIONS

Reconstruction is the rebuilding of a structure after more than 50% of its structural components (including walls, roof or foundation) has been destroyed, damaged, demolished or removed. Leaving one or two walls or the floor of a structure in place while rebuilding the remainder of the structure is considered a reconstruction.

**Adding a permanent foundation** beneath a structure also constitutes a reconstruction. Permanent foundations are any supporting substructures that extend below the frost line or permanently withstand freeze-thaw conditions. Examples are full foundations, basements, slabs and frost walls. "Sono tubes" or posts installed with augers are not permanent foundations.

If a nonconforming structure has been damaged, destroyed or removed, such a structure may be reconstructed or replaced if an application is filed with LURC within 2 years of the date of damage, destruction or removal *and* if the structure was in active use within the past two years preceding the damage, destruction or removal.

Reconstructed structures must be sited so that they meet the Commission's minimum setback requirements from water bodies (usually 100 feet), roads (usually 50 feet) and property lines (usually 15 feet) to the greatest extent possible. When evaluating your proposal, the Commission looks at many factors when deciding whether there are any physical limitations that prevent a structure from meeting current minimum setback requirements. These factors include:

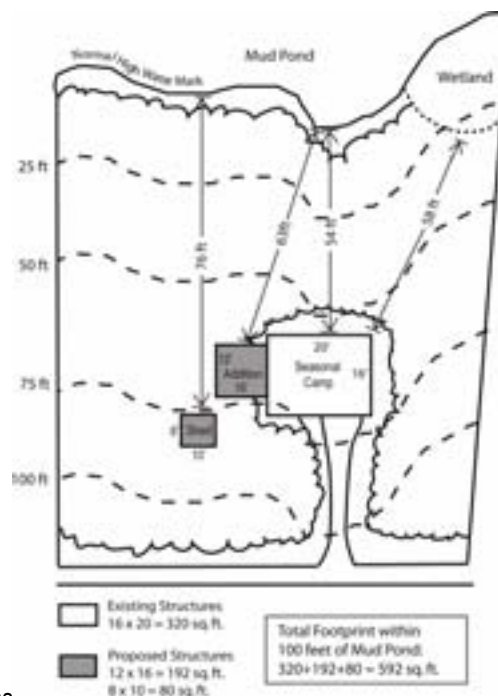
- size and configuration of your lot
- slope of the land
- potential for soil erosion and export to a water body
- location of other legally existing structures on the property
- location of the septic system and suitable on-site soils
- type and amount of vegetation to be removed
- physical condition and type of any existing foundations

## EXPANDING A NONCONFORMING STRUCTURE

Expansion is the increase in the footprint or the increase in height of a structure. Footprint is measured by the exterior perimeter of a structure. Footprint measurements include decks, porches, balconies, and any other structural attachments. Structures or portions of structures may be expanded if certain size limits are met:

- Expansions within 25 feet of a water body are prohibited.
- If the portion of the structure to be expanded is located between 25 and 50 feet of a water body, the total footprints of the structure *and* all other structures within 100 feet of the water body cannot exceed 750 square feet.
- If the portion of the structure to be expanded is between 50 and 75 feet of a water body, the total footprints of the structure *and* all other structures within 100 feet of the water body cannot exceed 1,000 square feet.
- If the portion of the structure to be expanded is between 75 and 100 feet of a water body, the total footprints of the structure *and* all other structures within 100 feet of the water body cannot exceed 1,500 square feet.\*

\* The 1,500 sq. ft. limit does not apply to lots with frontage on flowing waters draining less than 50 square miles, water bodies less than 10 acres, or tidal waters.



## RELOCATING A NONCONFORMING STRUCTURE

A nonconforming structure may be relocated within the boundaries of the lot as long as the structure is **no closer** to any water bodies, roads or property boundaries than its original location.

## CONSTRUCTING A NONCONFORMING ACCESSORY STRUCTURE

New, detached accessory structures (such as sheds or garages) that do not meet minimum setback requirements are only permitted if the structure cannot be **physically sited** on the lot to meet LURC's minimum setback requirements. In such cases, the structure cannot be located closer to the water body than the principal structure, cannot be located within 25 feet of the water body, and must be of a size and height that does not exceed the size limitations for expansions (described above).